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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,739	02/11/2004	Robert E. Ober	J0658.0009	5608

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DICKSTEIN SHAPIRO LLP  
1177 AVENUE OF THE AMERICAS 6TH AVENUE  
NEW YORK, NY 10036-2714

EXAMINER
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THAI, TUAN V

ART UNIT	PAPER NUMBER
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2186

MAIL DATE	DELIVERY MODE
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12/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/777,739

Applicant(s)

OBER ET AL.

Examiner

Tuan V. Thai

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/18/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) 4,5 and 12-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**Part III DETAILED ACTION**

***Specification***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 11, 2006 has been entered.
2. Claims 1-3 and 6-11 are presented for examination. Claims 4-5 and 12-34 have been canceled.

***Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janik et al. (USPN: 6,754,116); hereinafter Janik, in view of Simpson (USPN: 5,287,470).

As per claim 1, Janik discloses a memory system comprising a multi-bank memory having a first memory bank and a second memory bank (e.g. see figure 2); a muxing circuit coupled to the multi-bank memory (e.g. see figure 2); a first memory access device coupled to muxing circuit is taught as processor 3 (e.g. see figure 2); and a second memory access device coupled to the muxing circuit is taught as BITST 2 (e.g. see figure 2); wherein the muxing circuit is configurable to couple the first access device to the first memory bank and the second memory bank to read and write on-interleaved data, and the muxing circuit is configurable to couple the second access device to the first memory bank and the second memory bank to read and write non-interleaved data (e.g. see figure 2; column 2, lines 48 et seq.; column 3, lines 16 et seq.; column 5, lines 41-48). Janik discloses the invention as claimed. Janik, with on exception, does not particularly disclose the simultaneous access operation amongst the memory banks. Simpson, in his teaching of processing system for coupling multi-lead output bus to interleaved memories - includes coupling circuitry operable to couple bus leads to input nodes of two subset bank of memories, discloses simultaneous-access-operation is allowed to any two different interleaved-memory-banks to increase data accessing rate (e.g.

see column 10, lines 31-34). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to utilize the teaching of Simpson for that of Janik in order to allow for simultaneous accessing of interleaved-memory-banks that is currently amended in claim 1 of the invention. In doing so, Simpson clearly teaches that data bandwidth is significantly increased, results to enhancing of data throughput; therefore being advantageous (e.g. see column 3, lines 34-41; also see column 10, lines 31-34).

As per claim 2, the third memory is embedded in the system of Janik as multiple banks being taught wherein the muxing circuit is configurable to couple the first access device to the third memory bank and the muxing circuit is configurable to couple the second access device to the third memory bank (e.g. see column 5, lines 41 et seq.).

As per claim 3, Janik discloses a third memory (coupling to external line 5, figure 2) access device coupled to the muxing circuit and wherein the muxing circuit is configurable to couple the third access device to the first memory bank and the second memory bank (e.g. see column 8, lines 9 et seq.).

As per claim 10, Janik discloses the first memory access device is processor 3 (e.g. see figure 2).

As per claim 11, Janik further discloses the second memory access device is a DMA controller or BIST 2 (e.g. see figure 2).

5. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janik et al. (USPN: 6,754,116); hereinafter Janik, in view of Simpson (USPN: 5,287,470) and further in view of Carnevale (USPN: 6,430,648)

As per claims 6-9, Janik and Simpson disclose the size of memory banks is a system dependent feature and operates at different frequencies (e.g. see column 2, lines 3 et seq.; column 8, lines 61 et seq.). Janik and Simpson do not particularly disclose the first memory bank is larger than the second memory bank, and wherein the first memory bank is of the first memory type being DRAM, and the second memory bank is of the second memory type being SRAM. Carnevale, in his teaching of arranging address space to access multiple memory banks, discloses the missing elements that are known to be required in the system of Janik and Simpson in order to arrive at Applicant's current invention wherein Carnevale discloses his system comprises multiple memory banks of different types and sizes, wherein the first type being DRAM and the second memory type being SRAM (e.g. see column 1, lines 62 et seq.; column 4, lines 45 et seq.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to utilize the teaching Carnevale and to implement the first memory bank is larger than the second memory bank (since the bank size can be of different sizes), and the first memory bank is of the first memory type being DRAM, and the second memory bank is of

the second memory type being SRAM for that of Janik and Simpson's system. In doing so, it would increase and enhance Janik and Simpson system adaptability and allowing Janik and Simpson's system serving broader ranges of application, therefore being advantageous.

6. With respect to the remark, Applicant's counsel argued that (a) the references do not disclose a "muxing circuit..., configurable to couple the first access device to the first memory bank to read and write non-interleaved data and to discretely and simultaneously couple the second access device to the second memory bank to read and write non-interleaved data, and..., configurable to couple the second access device to the first memory bank to read and write non-interleaved data and to discretely and simultaneously couple the first access device to the second memory bank to read and write non-interleaved data,". Neither Janik nor Simpson disclose a muxing circuit configured to create two discrete couplings as recited in claim 1. In Janik, the first and second access devices transmit interleaved commands through a muxer which creates only a single coupling to the memory banks (figure 2; col. 8, lines 15-17). Thus, the first access device is not coupled to the first memory bank, and the second access device is not coupled to the second memory bank, and vice versa, as set forth in claim 1; (b) Simpson also fails to disclose a muxer which creates two couplings between two access devices and two memory banks. Rather, Simpson discloses a

swizzle circuit that creates a single coupling between one data source and two interleaved memory banks, where the interleaved memory banks share a connection to a single data bus (figures 11 and 12). Although Simpson discloses two memory banks, Simpson does not disclose the discrete coupling of the two memory banks to first and second access devices as set forth in claim 1. Accordingly, neither Janik nor Simpson, either individually or in combination, disclose the two discrete couplings as recited in claim 1; (c) Simpson does not disclose the simultaneous accessing of two memory banks for discrete read and write operations. While Simpson discloses the simultaneous accessing of two memory banks, the interleaving of the two memory banks does not permit those memory banks to be separately accessed simultaneously (e.g., col. 9, lines 23-41). Thus, if combined with a system such as that disclosed in Janik, the interleaved multi-bank memory in Simpson would not enable a first memory access device to access the first memory bank while a second memory access device simultaneously accessed the second memory bank; and (c) Janik does not disclose the reading and writing of non-interleaved data between memory access devices and a multi-bank memory, as recited in claim 1. Although Janik discloses the transmission of commands for testing a multi-bank memory, those commands are created by interleaving a plurality of single-bank commands into a multi-bank command (col. 3, lines 29-34).

With respect to (a); Examiner would like to emphasize that



Janik clearly disclose the two discrete couplings as being contended by Applicant's counsel wherein Janik teaches the MUX in figure 2 coupling both the BIST processor 2 which generates single command I and the processor 3 which generates multiple command II to both memory BANK A and memory B wherein each processor can separately address each memory bank separately or simultaneously (e.g. see figure 2; also see column 3, lines 66 et seq.; column 8, lines 1 et seq.). With respect to (b) the reference of Simpson is relied upon by the Examiner is merely for concept of simultaneous access operation amongst the memory banks wherein Simpson clearly discloses simultaneous-access-operation is allowed to any two different interleaved-memory-banks to increase data accessing rate (e.g. see column 10, lines 31-34; also column 10, lines 31-34); Janik reference discloses the MUX circuit configured to create two discrete couplings as stated above; the combination of Janik and Simpson in order to arrive at Applicant claimed invention is therefore proper. With respect to (c); Examiner would like to emphasize that Janik clearly disclose the reading and writing of non-interleaved data between memory access devices and a multi-bank memory; for example, each memory access device (BIST processor 2, or processor 3) can generate commands (either single or multiple bank commands) to both memory BANK A or memory BANK B) wherein Janik clearly defines each command is for reading and writing information, namely READ (RD) and WRITE (WR) (e.g. see column 8, lines 21 et seq.).

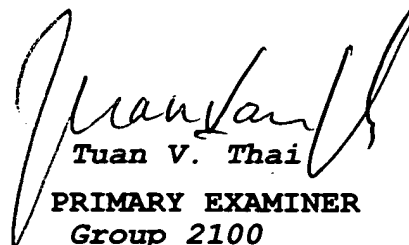
**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is (571)-272-4187. The examiner can normally be reached on from 6:30 A.M. to 4:00 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew M. Kim can be reached on (571)-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVT/November 20, 2007

  
Tuan V. Thai  
PRIMARY EXAMINER  
Group 2100